

ATTACHMENT A

Remarks

Claims 1 – 21 remain in the Application. Independent claims 1, 8, 16 and 19 have been amended. Original claims 4 – 7 have been rewritten in independent form as new claims 22 – 25.

Claim Rejections under 35 U.S.C. 102

Claims 1, 8, 16 and 19 have been rejected under 35 U.S.C. 102(e) as being anticipated by Spielman et al. (US Patent No. 6,560,318) (“Spielman”). This rejection is respectfully traversed, although claims 1, 8, 16 and 19 have been amended to more clearly define the claimed invention.

Amended claim 1 concerns a system for providing voice mail service in an environment having multiple voice mail technology platforms. The system has a platform selector element for receiving information regarding a call placed to a subscriber, obtaining voice mail technology platform indicator information for the subscriber from a subscriber profile database, and using the voice mail technology platform indicator information to select one of multiple voice mail technology platforms for receiving the call, recording a message from the caller to the subscriber, and storing the message for later retrieval by the subscriber.

Spielman teaches a notification architecture utilizing multiple processes configured for managing notification operations based on reception of SMTP-based messages within IMAP based message stores. The notification architecture includes a notification process configured for receiving notification messages for respective subscribers from messaging sources according to a prescribed open protocol such as Internet Protocol (see, e.g., the Abstract).

It is stated in the Office Action that Spielman discloses a system for providing voice mail service in an environment having multiple voice mail technology platforms, including a platform selector element (Fig. 1, item 12, col. 9, ll. 28-32) operative to receive information regarding a call placed to a subscriber (col. 9, ll. 7-10, 14-15), obtain voice mail technology platform indicator information from a subscriber profile database (col. 9, ll. 21-24), and select a voice mail technology platform by using the voice mail

technology platform indicator information for the subscriber (col. 9, ll. 28-36, select secondary mailbox).

However, it is respectfully submitted that Spielman does not teach the platform selector element recited in amended claim 1. More specifically, in the Spielman reference, item 12 of Fig. 1, which is described at col. 9, lines 5-41 and is being read by the Examiner as the claimed platform selector element, is a “notification process” which receives a notification message 18, parses notification preferences for the intended recipient, determines a preferred notification device, generates a notification delivery message 28 for the intended recipient, and delivers the notification delivery message 28 to a secondary mailbox associated with the preferred notification device. Thus, in brief, the notification process of Spielman receives a notification message and selects a secondary mailbox associated with a preferred notification device.

It is respectfully submitted that Spielman does not teach or suggest that the “notification message” is information regarding a call placed to a subscriber for selection of a voice mail technology platform. In fact, Spielman only addresses notification of an intended recipient after a message has already been left in a message store or external notification source (see, e.g., Fig. 1, items 20a, 20b; col. 5, ll. 45-63). Logically then, selection of the secondary mailbox associated with the preferred notification device is not the same thing as selection of a voice mail technology platform. The “secondary mailbox associated with the preferred notification device” cannot be characterized as a voice mail technology platform since the notification device described by Spielman is for notification of an intended recipient that a message is already present, whereas a voice mail technology platform is for receiving a call from a caller, recording a message from the caller to the subscriber, and storing the message for later retrieval by the subscriber. More specifically, referring to the language of claim 1, Spielman does not teach a platform selector for receiving information regarding a call placed to a subscriber, obtaining voice mail technology platform indicator information for the subscriber from a subscriber profile database, and using the voice mail technology platform indicator information to select a voice mail technology platform for receiving the call, recording a message from the caller to the subscriber, and storing the message for later retrieval by the subscriber.

Considering the other independent claims, claim 8 concerns a method for providing voice mail service in an environment having multiple voice mail technology platforms. The method includes the steps of: receiving information regarding a call from a caller to be directed to a voice mail technology platform, the call information including an identity of the subscriber to whom the call was placed; obtaining voice mail technology platform indicator information for the subscriber from a subscriber profile database, and using the voice mail technology platform indicator information to select one of the multiple voice mail technology platforms for receiving the call, recording a message from the caller to the subscriber, and storing the message for later retrieval by the subscriber. Claim 16 concerns a system, including a means for performing the steps of the method of claim 8. Claim 19 concerns a computer readable medium having computer executable instructions for performing the steps of the method of claim 8.

For the reasons explained above with respect to claim 1, Spielman does not teach a method including the steps of: receiving information regarding a call from a caller to be directed to a voice mail technology platform, obtaining voice mail technology platform indicator information for the subscriber from a subscriber profile database, and using the voice mail technology platform indicator information to select one of the multiple voice mail technology platforms for receiving the call, recording a message from the caller to the subscriber, and storing the message for later retrieval by the subscriber.

Thus, it is respectfully suggested that the rejection of claims 1, 8, 16 and 19 under 35 U.S.C. 102(e) can be properly withdrawn.

Claim Rejections under 35 U.S.C. 103

Claims 2, 3, 9-15, 17-18 and 20-21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Spielman, or Spielman in view of Wheeler, Jr. et al. (U.S. Patent No. 5,572,583) ("Wheeler"), Jones et al. (U.S. Patent No. 5,193,110) ("Jones I"), or Jones et al. (U.S. Patent 5,029,199) ("Jones II"). These rejections are also respectfully traversed.

It is respectfully submitted that neither Wheeler, Jones I, nor Jones II in conjunction with Spielman suggest a system or method for providing voice mail service

in an environment having multiple voice mail technology platforms as claimed in independent claims 1, 8, 16 and 19. Accordingly, it is respectfully suggested that, at least for this reason, the rejection of dependent claims 2, 3, 9-15, 17-18 and 20-21 under 35 U.S.C. 103(a) can also be properly withdrawn.

Allowable Subject Matter

Claims 4 – 7 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Original claims 4 – 7 have been rewritten in independent form as new claims 22 – 25.

In conclusion, it is respectfully urged that the instant application is in condition for allowance. However, if the Examiner believes that there are unresolved issues, the Examiner is respectfully invited to contact the Applicant's attorneys-of-record to discuss the issues.

END REMARKS